

114TH CONGRESS  
1ST SESSION

# H. R. 638

To prohibit the Federal Emergency Management Agency from recouping certain assistance, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2015

Mr. MACARTHUR introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To prohibit the Federal Emergency Management Agency from recouping certain assistance, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Disaster Assistance  
5 Fairness and Accountability Act of 2015”.

6 **SEC. 2. RECOUPMENT OF CERTAIN ASSISTANCE PROHIB-**  
7 **ITED.**

8 (a) IN GENERAL.—The Federal Emergency Manage-  
9 ment Agency may not take any actions to recoup covered  
10 assistance from a recipient of such assistance if—

1 (1) the—

2 (A) application of the recipient with re-  
3 spect to such assistance was made in good faith  
4 and provided accurate information; and

5 (B) receipt of such assistance could rea-  
6 sonably have been expected by the recipient; or

7 (2) the receipt of such assistance occurred on a  
8 date that is more than 3 years before the date on  
9 which the Federal Emergency Management Agency  
10 first provides to the recipient written notification of  
11 an intent to recoup.

12 (b) DISCLOSURE OF FAULT.—In carrying out a  
13 recoupment of covered assistance that is not prohibited  
14 under subsection (a), the Federal Emergency Management  
15 Agency shall provide to the relevant recipient documenta-  
16 tion that demonstrates the manner in which the recipient  
17 does not satisfy subsection (a)(1).

18 (c) COVERED ASSISTANCE DEFINED.—In this sec-  
19 tion, the term “covered assistance” means assistance pro-  
20 vided—

21 (1) under section 408 of the Robert T. Stafford  
22 Disaster Relief and Emergency Assistance Act (42  
23 U.S.C. 5174); and

1           (2) in relation to a major disaster declared by  
2           the President under section 401 of such Act (42  
3           U.S.C. 5170) on or after January 1, 2012.

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